

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KELLY M. O'BRIEN,	:	CIVIL ACTION NO. 3:16-CV-819
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
NANCY A. BERRYHILL, Acting Commissioner of Social Security,	:	
	:	
Defendant	:	
	:	

ORDER

AND NOW, this 27th day of June, 2018, upon consideration of the report (Doc. 16) of Magistrate Judge Martin C. Carlson, recommending the court deny the appeal of Kelly M. O'Brien ("O'Brien") from the decision of the administrative law judge denying her application for a period of disability and disability insurance benefits, and the court noting that O'Brien filed objections (Doc. 17) to the report, see FED. R. CIV. P. 72(b), and the Commissioner of Social Security ("Commissioner") filed a response (Doc. 18) thereto, and following *de novo* review of the contested portions of the report, see Behar v. Pa. Dep't of Transp., 791 F. Supp. 2d 383, 389 (M.D. Pa. 2011) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(C)), and applying a clear error standard of review to the uncontested portions, see Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa. 1999), the court being in agreement with Judge Carlson that the administrative law judge's decision "is supported by substantial evidence," 42 U.S.C. § 405(g); Fargnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001), and finding Judge Carlson's analysis to be thorough, well-

reasoned, and fully supported by the record, and further finding O'Brien's objections to be without merit and squarely addressed by the report, it is hereby ORDERED that:

1. The report (Doc. 16) of Magistrate Judge Carlson is ADOPTED.
2. The Commissioner's decision denying O'Brien's application for a period of disability and disability insurance benefits is AFFIRMED.
3. The Clerk of Court shall enter judgment in favor of the Commissioner and against O'Brien as set forth in paragraph 2.
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania